

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENYA MILLER, individually, and as
p/n/g of TROY ALLEN,

Plaintiff,

v.

PHILADELPHIA POLICE OFFICER
MICHAEL O'NEILL, Badge #243698 and
PHILADELPHIA POLICE OFFICER
MICHAEL RAKAY and
PHILADELPHIA POLICE OFFICER
LAZARDE and PHILADELPHIA
POLICE OFFICER WEBB Badge #4062
and PHILADELPHIA POLICE OFFICER
MURRAY Badge #6649 and
PHILADELPHIA POLICE OFFICER
BLAKE Badge #4321 and
PHILADELPHIA POLICE OFFICER
ROSENBAUM Badge #9463 and
PHILADELPHIA POLICE OFFICER
DEMPSEY Badge #1577 and
PHILADELPHIA POLICE OFFICER
PONE Badge #6978 and
PHILADELPHIA POLICE OFFICER
FEENEY Badge #3444 and
PHILADELPHIA POLICE OFFICER
WELCH Badge #3966 and
PHILADELPHIA POLICE OFFICER
BEDNARZ Badge #7736 and
PHILADELPHIA POLICE OFFICER
AMMOUNE Badge #4509 and
PHILADELPHIA POLICE OFFICER
MORRING Badge #7619 and THE CITY
OF PHILADELPHIA,

Defendants.

CIVIL ACTION

NO. 10-6915

ORDER

AND NOW, this 21st day of March, 2013, upon consideration of Defendants' Motion for Summary Judgment (Document No. 19, filed August 13, 2012) and Plaintiff's Response in Opposition to Defendants' Motion for Summary Judgment (Document No. 22, filed August 31, 2012), for the reasons set forth in the Memorandum dated March 21, 2013, **IT IS ORDERED** as follows:

1. Defendants' Motion for Summary Judgment, treated as a motion for partial summary judgment, is **GRANTED** by agreement as to defendant Philadelphia Police Officers: Webb, Blake, Murray, Pone, O'Neill, Ammoune, Welch, Bednarz, Feeney, and Morring.
2. Defendants' contested motion for partial summary judgment as to the City of Philadelphia is **GRANTED**.
3. All claims against defendant Philadelphia Police Officer Michael Rakay are **DISMISSED WITH PREJUDICE** by agreement.

IT IS FURTHER ORDERED that plaintiff's claims shall proceed against the remaining defendants: Philadelphia Police Officers Lazarde, Rosenbaum, and Dempsey. By reason of the forgoing, the caption of the case is amended to read as follows:

